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 7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10	GERI ROBINSON, individually,)	Case No.	2:21-cv-02019-JAD-VCF
11)		
12	Plaintiff,)		
13	vs.)		
14	ALBERTSON'S LLC; DOES K-X; and ROE)	STIPULATION AND ORDER TO	
15	CORPORATIONS I-X, inclusive)	EXTEND DISCOVERY DEADLIENS	
16)		
17	Defendants.)		<i>First Request</i>

18 In accordance with Local Rules of Practice for the United States District Court for the
 District of Nevada ("LR") 26-4, Defendant Albertson's LLC ("Defendant"), by and through its
 19 counsel of record, BACKUS, CARRANZA & BURDEN, and Plaintiff Geri Robinson ("Plaintiff"), by
 20 and through her counsel of record, MARX LAW FIRM, PLLC, hereby stipulate and agree to an
 21 extension of all remaining discovery deadlines by sixty (60) days. The parties propose the
 22 following revised discovery plan.

23 Pursuant to Local Rule 6-1(b), the Parties hereby aver that this is the first such discovery
 24 extension requested in this matter. Moreover, pursuant to Local Rule 26-3, it is respectfully
 25 submitted the Parties' failure to request the instant extension of discovery twenty-one (21) days
 26 prior to the deadline for initial expert disclosure was the result of excusable neglect. Specifically
 27 noting the failure to request the extension of was a mere oversight by the Parties. *Bateman v. U.S.*
 28

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1 *Postal Service*, 231 F.3d 1220 (9th Cir. 2000). Further: 1) there is no danger of prejudice as the
 2 extension is stipulated by the Parties; 2) a one hundred eighty (180) day extension will not impact
 3 a trial date because the same has not been scheduled; 3) the Parties, their respective Counsel, and
 4 witnesses have been limited in appearing for deposition due to the Covid-19 pandemic; and 4) the
 5 requested extension is made in good faith by both Parties. *Pioneer Investment Services v.*
 6 *Brunswick Associate's, Ltd.*, 507 U.S. 380, 395 (1993).
 7

8 **DISCOVERY COMPLETED TO DATE**

9 The parties have completed the following discovery:

- 10 1. Defendant produced its Initial Disclosure of Witnesses and Documents Pursuant to
- 11 FRCP 26(a) and LR 26-1;
- 12 2. Plaintiff produced her Initial Disclosure of Witnesses and Documents Pursuant to
- 13 FRCP 26(a)(1)(C) with two supplements thereto;
- 14 3. Defendant produced its first set of Interrogatories and Requests for Production, which
- 15 Plaintiff responded to.
- 16 4. Plaintiff's deposition was taken.
- 17
- 18

19 **DISCOVERY TO BE COMPLETED**

20 The discover to be completed includes:

- 21 1. Additional propounded written discovery by and upon the Parties.
- 22 2. Depositions of fact witnesses.
- 23 3. Depositions of Plaintiff's treating medical providers.
- 24 4. Depositions of Defendant's employees.
- 25 5. Deposition of Defendant's FRCP 30(b)(6) representative(s).
- 26 6. FRCP 26(a)(2) designation of initial and rebuttal expert witnesses.
- 27 7. Depositions of initial and rebuttal expert witnesses.
- 28 8. FRCP 35 examination of Plaintiff.

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Additional written discovery and depositions as the Parties deem necessary.

REASONS FOR EXTENSION TO COMPETE DISCOVERY

The parties are currently involved in arm's length settlement discussions. The requested 60-day discovery extension should allow the parties sufficient time to finalize the terms of the settlement before incurring additional litigation costs. The parties have entered into this agreement in good faith and not for purposes of delay.

PROPOSED NEW DISCOVERY DEADLINES

Expert Disclosure Deadline:

Currently: August 26, 2022

Proposed: October 25, 2022

Rebuttal Expert Disclosure Deadline:

Currently: September 23, 2022

Proposed: November 28, 2022

Discovery Deadline:

Currently: October 27, 2022

Proposed: December 28, 2022

Deadline to File Dispositive Motions:

Currently: November 25, 2022

Proposed: January 30, 2023

Pre-Trial Order Deadline:

Currently: December 23, 2022

Proposed: March 3, 2023

The Parties aver that this request for extension of discovery deadlines is made by the

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

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CASE NO.: 2:21-cv-02019-JAD-VCF
Robinson v. Albertson's LLC
Stipulation and Order to Extend (First Request)

Parties in good faith and not for the purpose of delay.

DATED this __25th__ day of August, 2022.

MAX LAW FIRM, PLLC

/s/ Bradley M. Marx
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601 S. Rancho Dr., Ste B14
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DATED this __25th__ day of August, 2022.

BACKUS, CARRANZA & BURDEN.

/s/ Jacquelyn Franco
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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

8-25-2022
DATED: _____

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